

CHAPTER 2

Requirements for Participating in the ETP

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Employer's Representatives' Roles and Responsibilities 2.1	<p>To facilitate the smooth operation and continued success of the ETP, the Employer's representatives' roles and responsibilities are defined below. If you are in doubt whether an action might place your company's status in jeopardy, call the ETP Unit at (916) 657-7830 for more information. Do not call the local DMV office.</p>
Administrator 2.2	<p>Role: The administrator must be an employee of the company. The administrator oversees the program and serves as your liaison with DMV. A change of administrator requires a new Application. For this reason, you may wish to choose a long-term employee with a vested interest in the company as administrator.</p> <p>Responsibilities: The administrator is responsible for ensuring all provisions and terms of the Employer Testing Program between the company and DMV are honored.</p> <p>The administrator must sign the Application, Commercial Driving Performance Evaluation Route and Directions forms, and the Employer Testing Program Commercial DPE Maneuver Checklist if requesting a route exemption.</p> <p>An administrator is responsible for operations, and must ensure that a separation of duties exists to prevent conflict of interest between the examiner and authorized representative/administrator for each certification.</p> <p>The administrator and authorized representative may be one and the same person. However, the examiner and the authorized representative that sign the Certificate of Driving Skill shall not be one and the same person.</p> <p>The Administrator Must Ensure That:</p> <p>The driver has applied at a DMV office, has taken and passed all required tests (written, vision, etc.), and acquired an instruction permit prior to testing.</p> <p>The examiner, authorized representative, and driver are abiding by the terms of the ETP in the process of their roles and responsibilities.</p>

Administrator (cont.) 2.2	<p>The examiner has successfully passed DMV Examiner Training class and has the appropriate valid California Commercial Driver License for the type of vehicle used for certification purposes, prior to the Employer's contract with the examiner.</p> <p>The drive test meets DMV standards. The company continues to meet the qualifying criteria for an EN.</p> <p>Any deficiencies found in your company's program are corrected immediately.</p> <p>Proper testing records and required documentation when requested for inspection and verification are provided.</p> <p>The Administrator Must Not:</p> <p>Allow the EN or a Certificate of Driving Skill to be used when the Employer no longer qualifies for participation in the program (i.e., company status cancelled, suspended or revoked).</p> <p>Allow an examiner to conduct a drive test when the examiner is no longer authorized or qualified to do so.</p> <p>Sign or act as the drive test examiner.</p>
Authorized Representative 2.3	<p>Role: The authorized representative must be an employee of the company, and can attest to the validity of the Certificate of Driving Skill. He/She will sign the Certificate of Driving Skill along with the examiner and driver. Addition or deletion of an authorized representative must be reported by submitting an Application for Employer Number.</p> <p>Responsibility: To ensure the Certificate of Driving Skill is complete and accurate.</p> <p>The Authorized Representative Must Verify:</p> <p>That the examiner conducting the commercial drive test:</p>

<p>Authorized Representative (cont.) 2.3</p>	<ul style="list-style-type: none"> • Has a contract with the Employer. • Has the appropriate class license and endorsements for the commercial drive test conducted. • Has a current medical certificate. <p>That the individual being certified has:</p> <ul style="list-style-type: none"> • Received specified commercial driver training. • Been an employee of the Employer at the time of training, testing, and certification. <p>That the required drive test was given to the certified driver using a DMV approved route and the route number is shown on the Certificate of Driving Skill.</p> <p>The Authorized Representative Must Not:</p> <p>Allow a Certificate of Driving Skill to be submitted with false or incorrect information.</p> <p>Act or sign as the examiner on the same Certificate of Driving Skill that he/she has signed as the authorized representative.</p> <p>Act as the authorized representative for his or her own relatives, supervisors, or for himself or herself.</p>
<p>Examiner 2.4</p>	<p>Role: The examiner is an employee of, or contracts with, the Employer and establishes the competency (driving knowledge, skills and/or ability) of the driver.</p> <p>Responsibility: It is the responsibility of the examiner to ensure that the driver can drive a commercial vehicle safely through observation and unbiased scoring during the driving test.</p> <p>A new examiner is not authorized to conduct commercial drive test for his/her Employer until he/she:</p> <ul style="list-style-type: none"> • Submits an Application for Examiner, the Application is accepted, and the examiner is notified by DMV. • Has a valid California Commercial Driver License appropriate for the type of license requesting testing authority.

Examiner (cont.) 2.4	<ul style="list-style-type: none"> • Has held a valid commercial driver license for at least three years, with the appropriate class and endorsements, and currently holds a valid California Commercial Driver License with appropriate class and endorsements for the testing authority and drive test vehicle(s). • Submits a written request to DMV for subsequent additions to testing authority of additional license class for validation of the examiner's three year California Commercial Driver License pre-requisites, and the request is approved by DMV. • Has no action against his/her California Commercial Driver License that would disqualify him/her to act as an examiner; i.e., suspended, revoked, cancelled, or on probation for negligent operator. • Pays a \$55 training fee. • Attends and passes a DMV sponsored Examiner Training class to establish his/her eligibility to act as an examiner and has a valid Certificate of Training. <p>If the examiner does not pass the training course, the fee is non-refundable.</p> <p>If the examiner does not pass the training course and applies to attend the training course again, a \$55 training fee will be charged.</p> <p>If the examiner does not attend the training class within one year of DMV receiving the Application for Examiner, the examiner must submit a new Application for Examiner and pay a \$55 training fee to enroll in the DMV sponsored Examiner training class. Prior training fees are not refundable or transferable.</p> <p>The examiner is encouraged to attend a refresher-training course on a volunteer basis, when testing is infrequent, unless required to do so for other reasons. A \$55 training fee shall be required.</p> <p>The examiner and Employer must enter into a written contract, hereinafter referred to as the "Examiner Contract", signed by the Employer's designated administrator and the examiner.</p>
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**Examiner
(cont.)
2.4**

The examiner may work for more than one Employer concurrently, as long as he/she is under contract with each Employer. The examiner will agree to, but not be limited to the following:

The Examiner Must:

Verify that the driver has applied at a DMV field office, and acquired an instruction permit appropriate for the test vehicle prior to testing.

Conduct all drive tests used for certification purposes, using the commercial driver license Driving Performance Evaluation Criteria established by DMV.

Verify that the driver successfully completes the required commercial drive test.

The drive test must include a pre-trip inspection, skills test, and road test. These components include the basic elements:

Components	Elements
Pre-Trip Inspection	<ul style="list-style-type: none"> • Pre-trip safety inspection.
Skills Test	<ul style="list-style-type: none"> • Placing vehicle in operation. • Use of vehicle controls. • Backing and parking the vehicle.
Road Test	<ul style="list-style-type: none"> • Operating the vehicle in traffic on public roads and while passing other vehicles. • Turning the vehicle. • Braking and slowing the vehicle by means other than braking.

Verify that the appropriate type of commercial vehicle was used for the drive test.

Provide the Employer with the original score sheets used during the drive test.

<p>Examiner (cont.) 2.4</p>	<p>Sign the Certificate of Driving Skill as the examiner.</p> <p>Be available, during normal business hours (8:00 a.m. to 5:00 p.m.) with notice, to participate in the monitoring of the Employer's third-party testing program, for a period of not less than one year after termination of the Examiner Contract.</p> <p>Allow the Employer to enroll him/her under the Employer's Pull Notice Program.</p> <p>Update skills needed in response to statutory and program changes. DMV shall notify examiners of statutory and program changes, and may require additional DMV sponsored training to maintain eligibility.</p> <p>Maintain a valid medical card and assure a current (DL51) Medical Examination Report is on file with DMV (except firefighters). Firefighters applying for non-commercial Class A or Class B firefighters restricted licenses are required to submit a non-CDL (DL546) Health Questionnaire form.</p> <p>The Examiner Must Not:</p> <p>Conduct commercial drive tests if his/her commercial driver license is not valid or is on probation for negligent operation of a motor vehicle.</p> <p>Act as an examiner for his/her own relative(s), supervisor, or for himself or herself.</p> <p>Act as an authorized representative for the same drive test he/she conducted.</p> <p>Sign a Certificate of Driving Skill for his/her own relative(s), supervisor, or for himself or herself.</p> <p>Sign a Certificate of Driving Skill for any driver who has not passed a commercial driving test comparable to DMV's.</p> <p>Knowingly sign a false or incorrect Certificate of Driving Skill.</p> <p>NOTE: Your examiner's eligibility to conduct the pre-trip, skills tests, and road test portion of the commercial licensing process may be removed as a result of inappropriate testing practices. DMV will notify the Examiner's of any action taken against them.</p>
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Driver 2.5	<p>Role: The driver is a person who drives a commercial vehicle for purposes of employment with the ETP participant (Employer) and who participates in the Employer's training and testing program.</p> <p>Responsibility: The commercial driver is responsible for being able to demonstrate the ability to drive and maintain control of his or her commercial vehicle while observing all traffic and safety laws.</p> <p>The Driver Must:</p> <p>Have applied for a commercial driver license at a DMV Field Office, taken and passed all required tests (written, vision, etc.) and acquired an instruction permit prior to testing.</p> <p>Be an employee of the company and pass a DPE commercial drive test that meets DMV standards.</p> <p>Make certain the appropriate type of vehicle is used for the drive test and Sign the Certificate of Driving Skill only if the information is correct.</p> <p>The Driver Must Not:</p> <p>Sign the Certificate of Driving Skill if false or incorrect information is contained on the form.</p> <p>Allow a family member or relative to act as the drive test examiner or authorized representative on the Certificate of Driving Skill.</p>
How To Apply for an Employer Number 2.6	<p>This handbook contains all the forms required to apply for an EN. Additional handbooks and/or forms are available to you upon request. You may contact the Employer Testing Program directly at (916) 657-7830.</p> <p>To request participation in the ETP you must submit:</p> <ul style="list-style-type: none"> • A completed and signed Application for Employer Number. The Application will serve as your written agreement with DMV. • Documentation of the primary and alternate drive test routes on the Commercial Driving Performance Evaluation (DPE) Route and Directions form. • The Employer Testing Program Commercial DPE Maneuver Checklist.

How To Apply for an Employer Number 2.6 (cont.)	<ul style="list-style-type: none"> • A route map for each drive test route for DMV review and approval. • Fees, if required. <p>The term of expiration of an EN shall be on the 15th of each month, three years from the date the EN was originally assigned by DMV.</p> <p>You must renew your EN every three years. DMV will initiate a staggered renewal cycle for existing Employers by imposing a one, two or three year renewal period on a one-time basis. Subsequent renewal periods will be for the three-year period. New Employers enrolling in ETP will be assigned a three-year term.</p>
How to Complete an Application for Employer Number 2.7	<p>A copy of the <i>Application for Employer Number</i> is located in Chapter 10. Please read the instructions, also located in Chapter 10, to avoid errors that may cause delay.</p> <p>DMV shall return the Application to you within 15 days of DMV's receipt of the Application if the Application is incomplete. No changes shall be made to the Application by DMV staff.</p> <p>If the Application process has not been completed within 12 months of DMV's receipt of the Application to DMV, that Application becomes void, and a new Application, and a non-refundable application fee must be submitted to DMV.</p> <p>DMV will assign a unique identifying number, hereinafter referred to as the EN, to each Employer enrolled in the Employer Testing Program. Exception: firefighting organizations may band together under one EN when using the same drive test route(s).</p> <p>DMV shall notify you of your assigned EN and DMV route approval number(s) within 30 days of DMV's receipt of a complete Application package.</p>

Application 2.8	<p>The Application for Employer Number includes a certification that states that you agree to comply with the provisions of Title 13 of the California Code of Regulations, Article 2.1, §25.06 thru §25.22, Vehicle Code §12804.9(d), §15250(c), and (d) governing the Employer Testing Program, these provisions are as follows:</p> <ul style="list-style-type: none"> • The FMCSA, or its representatives, and DMV are authorized to conduct random examinations, inspections, and audits without prior notice. • The FMCSA, or its representative, and DMV are permitted to conduct on-site audits or inspections at least annually. • All of your examiners must meet the same qualifications and training standards as DMV examiners, to the extent necessary to conduct skills tests in compliance with subpart G and H of Title 49, of the Federal Code of Regulations, §383.75. • The state is required to test a sample of drivers who were examined by you to compare pass/fail results between your examiners and DMV's examiners. • DMV has the right to take prompt and appropriate remedial action against your EN, drivers and examiners in the event that you fail to comply with State or Federal standards for the CDL testing program. • You are responsible for ensuring that all provisions and terms of the program are honored. This will include, but not be limited to Title 13, California Code of Regulations (Section 25.06 through 25.22) governing the Employer Testing Program, and Vehicle Code §12804.9(e), and §15250(c) and (d). • No amendment, alteration, or variation of the Application shall be valid unless made in writing, signed by your administrator, and approved by DMV. • DMV may terminate the EN for cause, and without prior notice, if the Director of the Department of Motor Vehicles finds that the public interest so requires.
Renewing Your Employer Number 2.9	<p>DMV shall initiate a staggered renewal cycle for existing Employers, by imposing a one, two, or three-year renewal period on a one-time basis. Subsequent renewal periods shall be for a three-year period. You must renew your Employer Number every three years to remain active in the program.</p> <p>DMV shall send you a renewal package no later than 90 days prior to expiration, which includes but is not limited to:</p>

Renewing Your Employer Number (cont.) 2.9	<ul style="list-style-type: none">• An Application, for completion.• A list of drivers certified in the prior renewal period for verification.• A request for payment of an application fee (\$15 for each year) from non-governmental Employers. <p>You must submit no later than 45 days prior to the Employer Number expiration the following to renew your Employer Number. Failure to meet this time frame and/or provide the required documents may delay the renewal of your Employer Number.</p> <ul style="list-style-type: none">• The completed and signed renewal Application.• The list of drivers certified since the last Employer Number renewal signed by the administrator.• Route documentation for the primary and alternate drive test routes.• The DPE maneuver checklist(s).• Route maps for the primary and alternate drive test routes.• Payment of the Application fee (\$15 for each year) from non-governmental Employers. <p>NOTE: The initial renewal application fee will be adjusted according to the staggered renewal cycle assigned to the Employer Number.</p> <p>You will be notified of your renewed Employer Number and any new DMV route approval Number(s), within 30 days of receipt of a complete Application package.</p> <p>If your Employer Number is expired, cancelled, suspended, or revoked for more than 12 months, you will be required to submit an original Application with the appropriate documents and application fees.</p>
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Pull Notice Program 2.10	<p>Employers participating in the ETP are required to participate in the Employer Pull Notice Program if the Employer employs the following types of drivers:</p> <ul style="list-style-type: none"> • Commercial Class A • Commercial Class B • Non-commercial Firefighters Class A • Non-commercial Firefighters Class B • Limousine Drivers • Transit Bus Drivers • Drivers who transport hazardous materials/wastes requiring placards • Drivers who hold driver certificates (any type) <p>DMV's Employer Pull Notice Program gives you a way to review the driving records of your drivers and examiners on a continual basis.</p> <p>After the Certificate of Driving Skill is given to the driver, you must enroll the driver under your Employer Pull Notice Number for the driver's actual term of employment. The examiner must be enrolled under your Employer Pull Notice Number for the duration of the contract period.</p> <p>If you receive a pull notice printout that reflects an action has been taken against your examiner's California Commercial Driver License that would disqualify the examiner from conducting tests for certification purposes, you must immediately discontinue the examiner's testing authority. You must also notify ETP of this disqualification within 10 days of receipt of the Employer Pull Notice Number printout.</p> <p>For more information, contact the Employer Pull Notice Program. The address and phone number are located in the directory in the front of this handbook.</p>
Did You Remember? 2.11	<p>Before sending in your Application did you remember to:</p> <ol style="list-style-type: none"> 1. Complete the Application for Employer Number? 2. Sign the list of certified drivers? 3. Document your primary and alternate drive test routes? 4. Complete the drive test maneuver checklist? 5. Complete your route maps? 6. Enclose your Application fee, if applicable?

